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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,302

02/23/2004

E. Charles Craig

1431

7834

7590

06/30/2005

Law Offices of John D. Gugliotta, PE, Esq.  
202 Delaware Building  
137 South Main Street  
Akron, OH 44308

EXAMINER

TANG, SON M

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/783,302

Applicant(s)

CRAIG, E. CHARLES

Examiner

Son M. Tang

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komatsu [US 5,076,260] in view of Black et al. [US 6,142,963; Black].

**Regarding to claim 1:** Komatsu discloses a sound activated alarm comprising:

- a plurality of vibrating modules (53);
- a control box receiving external stimuli (such as microphone 47, fire or emergency 21 or security system 20) and actuating vibration of said plurality of vibrating modules [Fig. 1-2 and 5, col. 5-15, col. 8, lines 1-7], Komatsu does not specifically disclose that vibration modules embedded in a blanket selectively placed on a sleeping surface. Since vibration module is a compact device which is capable of being disposed or embed at anywhere on the bed, and Black teaches a known vibrating blanket comprises a vibrating module 40 embedded in the blanket 15, it would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to have a vibrating module embedded in the blanket as taught by Black into the vibration alarm system of Komatsu. In doing that, the vibrating module is in close contact with a person's body which bring the advantage of better stimulation and it is portable that is capable to carry from one bed to another bed.

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**Regarding to claim 2:** Komatsu further discloses that wherein said plurality of vibrating modules are wire in parallel [col. 9, lines 27-28].

**Regarding to claim 3:** Komatsu and Black discloses all the limitation as described above, Black further teaches that vibrating module 40 is mounted to a pocket 30 physically fastened to the blanket by stitching 20 [Fig. 1, col. 4, lines 53-57] is constitutes of mounted to a layer of blanket via flange and thread as claimed.

**Regarding to claim 4:** Komatsu and Black disclose all the limitation as described above, Komatsu further discloses said external stimuli is audible [col. 8, lines 1-6].

**Regarding to claim 5:** Komatsu and Black discloses all the limitation as described above, Black further teaches that control box electrically coupled to said vibrating blanket by an interconnecting cable 85 and carrying low voltage of 6 voltages [see Fig. 6, col. 7, 28-32].

**Regarding to claim 6:** Komatsu and Black discloses all the limitation as described above, Komatsu further discloses the control box comprises a microphone 47, audio amplifier 46 and analyzer 30 [Fig. 2].

**Regarding to claims 7-9:** Komatsu further discloses a plurality remote input terminals wired in parallel (1-17, 20-21) [see Fig. 1] for receiving a plurality of external devices that may activated said plurality of vibrating modules [col. 5, lines 52-67].

**Regarding to claim 10:** Komatsu and Black discloses all the limitation as described above, Komatsu further discloses a power supply circuit 24, Komatsu does not specifically show a battery pack operative during electricity outage. Black teaches that a battery (108) which corresponding to (130) of Fig. 6 and col. 8, lines 14-20. It would have been obvious of one

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having ordinary skill in the art at the time of the claimed invention to use a backup battery as suggested by Black into the system of Komatsu for the benefit of safety.

*Conclusion*

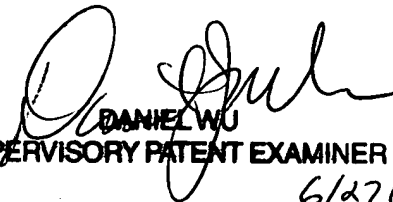
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jeffrey et al. [US 6,675,743], Frazier [US 4,779,615], Shuto et al. [US 5,865,771] and Sleichter, III et al. [US 6,087,942].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang

  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
6/27/05